

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Fiberlink Telecommunications Inc.	)	
	)	
Application for Authority	)	
under Section 214	)	File No. TC _____
of the Communication Act of 1934,	)	
as Amended, for Global Authority	)	
to resell services of other common	)	
carriers to provide telecommunications	)	
services as a nondominant carrier	)	
between the U.S. and Various	)	
international Points	)	

APPLICATION

Fiberlink Telecommunications, Inc. ("Fiberlink" or "Applicant"), pursuant to Section 214 of the Communications Act of 1934, as amended ("the Act"), 47 U.S.C. Section 214, hereby requests global authority to operate as a reseller of international telecommunications services of other common carriers between the United States and various international points pursuant to the terms and conditions of Section 63.18 (e)(2) of the Commission's Rules as authorized by the Commission, 47 C.F.R. 63.18 (e)(2). Fiberlink has no affiliation with any foreign carrier in any of the destination countries for which authority is requested nor is Fiberlink affiliated with any dominant U.S. carrier whose services Fiberlink may resell. Thus, pursuant to Section 63.10 (a)(1) of the Commission's Rules, 47 C.F.R. 63.10 (a)(1), Fiberlink should be classified as a non-

dominant carrier in its provision of international service on all routes. Furthermore, as explained herein, this Application is entitled to streamlined processing under Section 63.12 of the Commission's Rules, 47 C.F.R. 63.12.

In support of its request for authority, Fiberlink submits the following information pursuant to Section 63.18 of the Commission's Rules, 47 C.F.R. 63.18.

- (a) The name, address and telephone number of the Applicant is:

Fiberlink Telecommunications, Inc.  
13333 Blanco RD # 104  
San Antonio, Texas 78216  
(210) 859-0440

- (b) Fiberlink is a corporation organized under the laws of the state of Texas.

- (c) Correspondence concerning this Application should be addressed to:

Dana Hoyle, Consultant  
6622 Spring Manor  
San Antonio, TX 78249  
(210) 641-6645

with copies to:

Chad Webster, President  
Fiberlink Telecommunications, Inc.  
13333 Blanco RD # 104  
San Antonio, Texas 78216  
(210) 859-0440

- (d) Fiberlink has not previously received Section 214 authority from the Commission.
- (e) Fiberlink is applying for authority to operate as a resale carrier pursuant to the terms and conditions of Section 63.18 (e)(2), of the Commission's Rules, 47 C.F.R. 63.18 (e)(2). Fiberlink requests authority to serve all countries permitted under a grant of global authority. As evidenced by the certification provided in

Attachment A, Fiberlink will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules, 47 C.F.R. 63.21 and 63.23.

- (f) At this time, Applicant does not seek authority to provide service not referenced under paragraph (e) of Section 63.18 of the Commission's Rules, 47 C.F.R. 63.18 (e).
- (g) Fiberlink does not seek facilities-based authority under Section 63.18(e)(6). Consequently, Fiberlink is categorically excluded from environmental assessment pursuant to Section 1.1306 of the Commission's Rules, 47 C.F.R. 1.1306.
- (h) Fiberlink certifies that it is not a foreign carrier and has no affiliations with a foreign carrier. The name, address, citizenship and principle business of its ten percent or greater and indirect shareholders or other equity holders are:

<u>Name/Address</u>	<u>Citizenship</u>	<u>Principle Business</u>
Chad Webster, President Fiberlink Telecommunications, Inc. 13333 Blanco RD # 104 San Antonio, Texas 78216	US	Telecommunications Reseller

No entity or individual other than Mr. Webster has 10 percent or more ownership interest in Fiberlink.

- (i) As evidenced by the certification attached hereto as Attachment A, Fiberlink is not affiliated with a foreign carrier.
- (j) As evidenced by the certification attached hereto as Attachment A, Fiberlink does not seek to provide international telecommunications service to any destination where: (1) Fiberlink is a foreign carrier in that country; (2) Fiberlink controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest

in Fiberlink, or controls Fiberlink, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Fiberlink and are parties to, or the beneficiaries of, a contractual relationship that affects the provision or marketing of international basic telecommunications services in the United States.

- (k) Not applicable; Fiberlink is not affiliated or otherwise related to any foreign carrier on any of the routes which Fiberlink proposed to provide service in this Application.
- (l) Not applicable; Fiberlink is not a foreign carrier and is not affiliated with a foreign carrier on any of the routes it proposes to resell international telecommunications service.
- (m) Not applicable; Fiberlink is not affiliated with any foreign carrier on any of the routes it proposes to provide services.
- (n) As evidenced by the certification provided in Attachment A, Fiberlink has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
- (o) As evidenced by the certification provided in Attachment A, no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) Fiberlink respectfully requests streamlined processing of this Application pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. 63.12. This

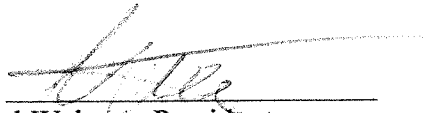
Application qualifies for streamlined processing for the following reasons: (1) Fiberlink is not affiliated with a foreign carrier on any route for which authority is sought; (2) Fiberlink is not affiliated with any dominant U.S. carrier whose international switched or private lines services it seeks to resell; and (3) Fiberlink is not requesting authority to provide switched service over private lines to countries not previously authorized for service by the Commission.

### Conclusion

Wherefore, Fiberlink Telecommunications, Inc. respectfully requests that the Commission grant it authority to provide international telecommunications services on a resale basis pursuant to Section 214 of the Communications Act of 1934, as amended.

Respectfully submitted,

Fiberlink Telecommunications, Inc.

By:   
Chad Webster, President

13333 Blanco RD # 104  
San Antonio, Texas 78216  
(210) 859-0440

Date: 5/2/05

# Attachment A

## CERTIFICATE

The undersigned hereby certifies, on behalf of Fiberlink Telecommunications, Inc. ("Fiberlink") with respect to the foregoing application for authority to provide international services, that:

1. Fiberlink is not affiliated with any foreign carrier in any of the countries to which Fiberlink proposes to provide service in the foregoing application.
2. Fiberlink will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules, 47 C.F.R. 63.21 and 63.23
3. Fiberlink does not seek to provide international telecommunications service to any destination where: (1) Fiberlink is a foreign carrier in that country; (2) Fiberlink controls a foreign carrier in that country; (3) any entity that owns more than a 25% interest in Fiberlink, or controls Fiberlink, controls a foreign carrier in that country; or (4) two or more parties own, in the aggregate, more than 25% of Fiberlink and are parties to, or the beneficiaries of, a contractual relationship that affects that provision or marketing of international basic telecommunications services in the United States.
4. Fiberlink has not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses sufficient market power on the foreign end of the route to affect competition adversely in the U.S. market and will not enter into such agreements in the future.
5. No party to this application is subject to a denial for Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853 (a).

Fiberlink Telecommunications, Inc.

By:   
Chad Webster, President

13333 Blanco RD # 104  
San Antonio, Texas 78216  
(210) 859-0440

Date: 5/2/05